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SUBJECT: GUINEAN SUPREME COURT BUSY WITH LAND DISPUTES

Classified By: Pol/Econ Chief Shannon Cazeau for
Reason 1.4 (b) and (d)

¶1. (SBU) SUMMARY. The Ambassador met with Lamine Sidime, President of Guinea,s Supreme Court, on December 13 for his initial courtesy call. The meeting was friendly, but formal, and did not delve into key substantive issues. Sidime said that the Supreme Court currently spends over 80 percent of its time on land dispute issues. In addition, he claimed that the judiciary operates independently and is not subject to external political influence. END SUMMARY.

¶2. (SBU) In the Ambassador,s initial courtesy call on the Supreme Court, Lamine Sidibe was friendly but reserved. Although the Ambassador attempted to draw Sidibe into a more substantive discussion, the meeting ended up feeling like a simple checking of the box,, according to the terms of standard diplomatic protocol.

BIO NOTES

¶3. (SBU) This is Lamine Sidibe,s second stint as president of the Supreme Court (appointed in 2003), having been previously appointed to that position when the Court was first established in 1992. As such, Sidibe has managed the Court for a total of nine out of the 15 years of its existence. Sidibe also served as prime minister of Guinea from 1999 to 2004. He was born in Mamou in 1944 and studied law in Senegal and France. Sidime taught law at the University of Algiers and the University of Dakar before returning to Guinea in 1989 as a professor of law at the University of Conakry. Later, Sidime was a member of the executive bureau of the legislative body that preceded the National Assembly during the transition from a military government to a constitutional system. In 1992, after his first appointment to the Supreme Court, Sidime participated in a USG sponsored International Visitor,s Program in the U.S. Ethnically, Sidime is Malinke.

CASELOAD DOMINATED BY LAND DISPUTES

¶4. (SBU) Sidibe commented extensively on the Supreme Court,s current caseload, which is dominated by land disputes. Sidibe said that in the past, such cases represented about 40 percent of the caseload, but now represent more than 80 percent. In response to the Ambassador,s question about other cases such as divorce, Sidibe said that such matters are traditionally decided by the family and rarely show up in the court system.

NO INTERFERENCE HERE

15. (SBU) The Ambassador also asked about the independence of the judiciary and whether the Supreme Court receives any pressure from other government elements over judicial decisions. Sidibe assured the Ambassador that the Supreme Court has always been independent and has never been subject to external political influence, at least during his administration. Sidibe added that occasionally there are instances of friendly pressure, where friends may ask judicial officials to intervene on their behalf, but that this happens on a personal level and does not actually influence court decisions.

COMMENT

16. (C) On both a personal and a policy level, the meeting was essentially dissatisfying. Sidime clearly understood his role and smoothly delivered practiced responses to questions he has probably fielded many times in the past. He did not appear to be someone the Embassy can expect to work with closely in the future in order to advance Mission objectives.

One of the remaining bastions of Guinea's old guard, Sidime is a long-time supporter of President Conte and owes his extensive political career to that relationship. His responses to questions about executive interference are contrary to common perceptions of judicial operations and the endemic corruption that undermines the entire legal system. The fact that the Supreme Court is spending the majority of its time on land dispute cases suggests that this is a growing issue in Guinea. The prominence of land disputes in the eyes of the judiciary may offer further opportunities for corruption and illustrates the lack of judicial attention to key problems including corruption and human rights abuses.
END COMMENT.
CARTER